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CHARTER
OF
KINGS COLLEGE
AT
FREDERICTON,
IN THE
PROVINCE
OF
NEW-BRUNSWICK.

FREDERICTON:
PRINTED BY GEORGE K. LUGRIN, KING'S PRINTER.
FEBRUARY, 1828.

FOR
OF GOD
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To all
REETING
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CHARTER, &c.

GEORGE the **FOURTH**, by the Grace of **GOD** of the United Kingdom of Great Britain and Ireland, **KING**, Defender of the Faith, and so forth.

To all to whom these Presents shall come
GREETING :

WHEREAS the Establishment of a College within our Province of New-Brunswick, in North America, for the Education of Youth in the principles of the Christian Religion and for their instruction in the various branches of Science and Literature which are taught at our Universities in this Kingdom, would greatly conduce to the welfare of our said Province. And whereas humble application hath been made to us by many of our loving subjects in our said Province, that we would be pleased to grant our Royal Charter for the more perfect Establishment of a College therein, and for incorporating the Members thereof for the purposes aforesaid: Now know ye that we, having taken the premises into our Royal

consideration and duly weighing the great Holy utility and importance of such an Institution in England have of our special grace, certain knowledge and such and mere motion, ordained and granted unto us and our Successors, ordain and grant that there shall be established at, or near our Town of Fredericton, in our said Province of New-Brunswick, from this time, one College with the style and privileges of an University, and that the hereinafter directed, for the Education and Arts, and Instruction of Youth and Students in Arts, Law, and Faculties, to continue for ever, to be our said College called **KINGS COLLEGE**; And We do hereby declare and grant that our trusty and well beloved the Right Reverend Father in God the **President** John Bishop of the Diocese of Nova Scotia, or the Bishop for the time, being of the said Diocese in which the said Town of Fredericton may be situate in any future division or alteration of the said present Diocese of Nova Scotia, shall for us, and on our behalf be the **VISITOR** of the said College, and that our trusty and well beloved Sir Howard Douglas, Bart., our Lieutenant-Governor of our said Province, or the Governor, Lieutenant-Governor, or other person administering the Government of our said Province for the time being shall be the **Chancellor** of our said College; And We do hereby declare, ordain, and grant, that there shall at all times be one **PRESIDENT**, of our said College who shall be a Clergyman

College to be established at or near Fredericton in New-Brunswick, with the Style and Privileges of University.

To be called Kings College.

The Bishop of the Diocese to be

Visitor.

The Lieutenant-Governor of the Province of N. Brunswick, to be

Chancellor

One President.

g the great Holy Orders of the United Church of
 Institution England and Ireland, and that there shall
 knowledge such and *so many Professors* in different **And Professors.**
 granted arts and Faculties within our said College,
 or Heirs and from time to time shall be deemed neces-
 sary or expedient, and as shall be appointed
 down of *Frederick* us, or by the said Chancellor of our said
 New-Brunswick College on our behalf and during our plea-
 ge with the same. And We do hereby grant and ordain
 University, that the Reverend George Best, Master of **President**
 Education and Arts, Archdeacon of our said Province of
 Arts in New-Brunswick, shall be the first *President* **The Archdeacon**
 ever, to be our said College and the Archdeacon of **of the Province**
 We do hereby our said Province, for the time being, shall, **of New-Brunswick**
 ty and we by virtue of such, his office, be at all times **for the**
 ther in God the *President* of the College. And We do **time being.**
 Nova Scotia hereby for Us, our Heirs and Successors,
 being of the Will, Ordain and Grant that the said *Chan-*
 cellor and *President* and the said *Professors* **The Chancellor,**
 future division of our said College, and all persons who shall **President, Pro-**
 present Diocese duly matriculated into and admitted as **fessors, and**
 and on our scholars of our said College, and their Suc- **Scholars to form**
 cessors forever, shall be one distinct and **the Corporation.**
 beloved Separate Body politic and corporate, in deed
 Lieutenant and in name, by the name and style of "THE
 or the Governor, CHANCELLOR, PRESIDENT, AND SCHOLARS
 other persons OF KINGS COLLEGE, AT FREDERICTON, IN
 ment of our THE PROVINCE OF NEW-BRUNSWICK," and
 shall be that by the same name they shall have perpe- **To have per-**
 And We shall have perpetual succession and a common seal, and that **petual succe-**
 grant, that they and their Successors shall from time to **sion and a com-**
 PRESIDENT, of time have full power to alter, renew or **mon seal,**
 Clergyman change such common seal at their will and

Common seal
may be changed

Empowered to
to acquire and
possess real Es-
tate and Here-
ditas,

So as the same
do not exceed
in yearly value
£15,000.

Also to acquire
and hold per-
sonal estate

Corporation
empowered to
sue and be sued
&c.

pleasure, and as shall be found convenient, the subject
and that by the same name they the said Chancellor, President and Scholars, and their Successors, from time to time, and any manner of persons, at all times hereafter, shall be able and capable to declare, sell, give, lease, hold, possess, and enjoy and maintain, to and for the use of the said College, any Messuages, Houses, Lands, Tenements and Hereditaments, of what kind, nature or quality soever, situate and being within our said Province of New-Brunswick) so as that the same do not exceed in yearly value the sum of fifteen thousand pounds above all charges, and Members moreoever to take, purchase, acquire, have and hold, enjoy, receive, possess and retain all their admittances or any goods, chattels, charitable or other, several contributions, gifts or benefactions whatsoever. And we do hereby declare and grant that the said Chancellor, President and Scholars, and their Successors, by the same name, shall and may be able and capable in all law to sue, and be sued, implead and be impleaded, answer and be answered in all any Court or Courts of Record within our said United Kingdom of Great Britain and Ireland, and our said Province of New-Brunswick, and other our Dominions in all and singular actions, causes, pleas, suits, matters and demands whatsoever, of what nature and kind soever, in as large, ample and beneficial manner and form as any other Body Politic and Corporate, or any other our said Col-

convenient legal subjects, being persons able and capable in law, may or can sue, implead, or answer, or be sued, impleaded or answered in any manner whatsoever. And We do hereby declare, ordain and grant, that there shall be within our said College, or Corporation, to and for a Council, to be called and known by the name of the *College Council*. And We will and ordain that the *Council* shall consist of the *Chancellor and President* for the time being, and of *seven of the Professors in Arts and Faculties of our said College*, and that such seven Professors shall be Members of the United Church of England, Wales and Ireland, and shall previously to their admission into the said College Council severally sign and subscribe the thirty-nine articles of Religion, as declared and set forth in the Book of Common Prayer; and in case at any time there should not be within our said College seven Professors of the Established Church aforesaid, then our will and pleasure is, and We do hereby grant and ordain, that the said College Council shall be filled up to the requisite number of seven, exclusive of the Chancellor and President in all and the time being, by such persons being graduates of our said College, and being Members of the Established Church aforesaid, as shall for that purpose be appointed by the Chancellor, for the time, being of our said College, and which Members of Coun-

Council

Persons composing the Council

Qualification of the Members of the Council.

Provision for
the formation of
the first Coun-
cil of the Col-
lege.

Members of the
Council, being
Officers of the
College, to hold
their seats in
the Council only
so long as they
retain their Of-
fices in the Col-
lege.

Members of

cil shall in like manner subscribe the thirty-nine articles aforesaid, previously to their admission into the said College Council soon as And whereas it is necessary to make provision for the completion and filling up of the said Council at the first Institution of our said College, and previously to the appointment of any Professors or the conferring of any degrees therein. Now We do further ordain and declare that the Chancellor of our said College for the time being, shall upon, or immediately after the first Institution thereof, by warrant under his hand, nominate and appoint seven discreet and proper persons, resident within our said Province of New Brunswick, to constitute jointly with him the said Chancellor, and the President of our said College, for the time being, the first or original Council of our said College, which first or original Members of the said Council shall in like manner respectively subscribe the thirty-nine articles aforesaid, previously to their admission into the said Council. And We do further declare and grant, that the Members of the said College Council holding priority within our said College the Offices of Chancellor, President or Professor in any Art or Faculty, shall respectively hold their seats in the said Council, so long as they and each of them shall retain such their offices aforesaid, and no longer, and that the Members of the said Council, not holding offices in our said College

the third College, shall from time to time vacate
 ly to their seats in the said Council, when and
 ge Council soon as there shall be an adequate num-
 make prov of Professors in our said College, being
 ng up of the members of the Established Church afore-
 tion of ord, to fill up the said Council to the requi-
 the appointe number before mentioned. And We
 conferring hereby authorize and empower the
 e do further Chancellor, for the time being, of our said
 Chancellor College, to decide in each case what parti-
 being, shall ar Member of the said Council not holding
 first Instit such office as aforesaid, shall vacate his
 his hand, not in the said Council upon the admission
 eet and pr any new Member of Council holding any
 our said Proh office. And We do hereby declare
 stitute joint grant that the Chancellor, for the time
 or, and the ng, of our said College, shall preside at
 for the time Meetings of the said College Council
 Council of which he may deem it proper or convenient
 ginal Mem attend, and that in his absence the Pre-
 in like manner of our said College shall preside at
 e thirty-ni such Meetings, and that in the absence
 to their at the said President the Senior Member
 l. And We the said Council present at any such
 at the Meeting, shall preside thereat; and that the
 ncil holding iority of the Members of the said Coun-
 ces of Chan other than the Chancellor and President,
 n any Art shall be regulated according to the date of
 their seat or respective appointments: Provided al-
 hey and eachs, that the Members of the said Council,
 offices aforesaid professors in our said College, shall
 e Members of the said Council take precedence over,
 offices in our be considered as Seniors to the Mem-

Council not
 holding Offices
 in the College,
 how their seats
 to be vacated.

Chancellor to
 name the mem-
 ber not holding
 any office whose
 seat shall be va-
 cated.

Upon the ad-
 mission of any
 new member
 holding such
 office.

Who shall pre-
 side at all meet-
 ings of the Coun-
 cil.

How seniority
 of the members
 of the Council
 to be regulated.

Quorum of
Council.

Majority of
votes of the
Members pre-
sent to decide
all questions

Member presid-
ing to give an
additional or
casting vote in
cases of equal
division,

How vacancies
in the Council to
be filled up.

bers thereof not being Professors in session of
said College. And We do ordain and declare
that no Meeting of the said Council shall be or be held to be a lawful Meeting further
thereof, unless five Members at the least be present during the whole of every such Meeting, and that all questions and resolutions
proposed for the decision of the said Council, shall be determined by a majority of the votes of the Members present, including the vote of the
presiding Member, and that in the event of an equal division of such votes, the Member
presiding at any such Meeting, shall give him an additional or casting vote. And We do
further declare that if any Member of the said Council, shall die or resign his seat, or shall be removed from the same, or shall by reason of any bodily or mental infirmity, or for any other reason of his absence from the said Province become incapable for three calendar months or upwards, of attending the Meetings of the said Council, then and in every such case, a fit and proper person shall be appointed by the said Chancellor to act in the place and stead of the Member so dying, resigning, or so suspended or removed, and such person succeeding to any Member so suspended or incapacitated, shall vacate his office on the removal of any such Member

cessors in cession or at the termination of any such
 ordain and capacity, as aforesaid, of his immediate
 said Councillor in the said Council ; And We
 further ordain and grant, that it shall and
 at the least, be competent, to and for the Chancel-
 of every such for the time being, of our said College, to
 ns and resign from his seat in the said Council,
 n of the said Member thereof for any just and rea-
 rmined by any cause to the said Chancellor appear-

Chancellor em-
 powered to sus-
 pend from his
 seat any mem-
 ber of Council
 for just cause,
 &c.

Members: provided that the grounds of every
 the vote of such suspension shall be entered and re-
 in the event, at length, by the said Chancellor in
 s, the Member Books of the said Council, and signed
 t, shall give him. And every person so suspended,

Cause of such
 suspension to
 be recorded and
 signed by the
 Chancellor

And We all thereupon cease to be a Member of
 member of the said Council, unless, and until he shall
 gn his seat restored to, and re-established in such,
 suspended station therein by any order to be made
 shall by read the premises by us, or by the said visitor
 firmity, or our said College, acting in our behalf,
 e said Province in pursuance of any special reference
 calendar month on us : And We do further declare, that

Every person so
 suspended shall
 cease to be a
 member,

Until again res-
 tored

Meetings of Member of the said Council, who with-
 n every such sufficient cause to be allowed by the
 n shall be the Chancellor, by an order entered for that
 ller to act upon the said Council Books, shall absent
 Council in himself from all the Meetings thereof, which
 er so dying, shall be held within any six successive ca-
 or removed, calendar months, shall thereon, vacate such,
 nd such his seat in the said Council : And We by
 Member so these presents for Us, our Heirs and Succes-
 l vacate such, Will, Ordain, and Grant, that the said
 any such Council of our said College, shall have pow-

Any member of
 the Council
 without suffi-
 cient cause, ab-
 senting him-
 self from the meet-
 ings for six
 months to va-
 cate his seat.

Statutes to be
made by the
Council

er and authority to frame and make Statutes, Rules, and Ordinances, touching a College, concerning the good Government of the said College, the performance of Divine Service therein, the Studies, Lectures, Exercises, Degrees in Arts, and Faculties, and all matters regarding the same, the residence and duties of the President of our said College, the number, residence and duties of the Professors thereof, the management of the Revenues, and Property of the said College, the Salaries, Stipends, Provision, and Emoluments of, and for the President, Professors, Scholars, Officers, and Servants thereof, the number and duties of such Officers and Servants, and also touching any other matter or thing which to them shall seem good, fit and useful for the well-being and advancement of our said College, and agreeable to this our Charter, and also from time to time by any new Statutes, Rules, or Ordinances, to revoke, amend, new, augment, or alter, all, every or any of the said Statutes, Rules, and Ordinances.

as to them, shall seem meet and expedient. Provided always, that the said Statutes, Rules, and Ordinances, or any of them, shall not be repugnant to the Laws and Statutes of the United Kingdom of Great Britain, or of our said Province of New Brunswick, or to this our Charter. Provided also, that the said Statutes, Rules, and Ordinances, shall be subject to the approbation

Proviso that
statutes, &c. not
to be repugnant
to the laws and
statutes of Great
Britain, or to
this Charter.

Statutes, rules,
&c. to be sub-

and make Satisfaction of the said Visitor of the said
 , touching a College, for the time being, and shall be
 nment of which with transmitted to the said Visitor for
 nce of Divine purpose, and that in case the said visit-
 Lectures, he shall for us and on our behalf, in writing,
 Faculties, signify his disapprobation thereof within two
 , the residents of the time of their being so made, and
 f our said College, the same or such part thereof as shall
 and duties so disapproved by the said visitor, shall
 management in the time of such disapprobation being
 f the said College known to the said Chancellor of our
 Provision, and College, be utterly void and of no effect,
 he President otherwise shall be and remain in full
 and Service and virtue. Provided nevertheless,
 es of such Order We do hereby expressly save and re-
 touching any We to us, our Heirs and Successors the
 or thing which power of reviewing, confirming or revising
 and useful in any order or orders to be by us or them
 ent of our said College, in our, or their Privy Council, all
 s our Charter any of the decisions, sentences, or orders
 any new Statute to be made as aforesaid, by the said visitor
 o revoke, by us and on our behalf, in reference to the
 ery or any Statutes, Rules, and Ordinances, or any
 Ordinance them. And We do further Ordain and
 nd expedient are that no Statute, Rule, or Ordinance
 said Statute shall be framed or made by the said College
 of them, shall Council, touching the matters aforesaid, or
 and Statutes of them, excepting only such as shall
 Great Britain proposed for the consideration of the said
 vince of New Council by the Chancellor, for the time be-
 charter. Præsumpt of our said College: And We do re-
 cutes, Rules, and enjoin the said Chancellor thereof
 ct to the appropria consult with the President of our said

ject to the ap-
 probation of the
 Visitor.

Visitor to signi-
 fy his disappro-
 bation in two
 years.

Reservation to
 His Majesty, to
 confirm or re-
 verse the order
 and decision of
 the Visitor,

No rule or or-
 dinance to be
 made except
 such as shall be
 proposed by the
 Chancellor,

The Chancellor
 required to con-

with the
President and
next senior
member of
Council res-
pecting the sta-
tutes, &c. to be
proposed by
him.

Statutes, &c.
when made to
be strictly ob-
served.

The College to
be deemed an
University and
enjoy all the
privileges of one

Students to
have liberty of
taking degrees,
&c. according
to the Statutes

No religious
Tests or quali-
fication to be
required,

College, and the next Senior Member of the said College Council, respecting all Statutes, Rules, and Ordinances, to be proposed by him to the said Council for consideration : And We do hereby for our Heirs and Successors charge and command, that the Statutes, Rules, and Ordinances aforesaid, subject to the said Provision, shall be strictly and inviolably observed, kept and performed from time to time in full vigour and effect, under the penalties to that thereby or therein imposed or contained. And We do further Will, Ordain and Grant, that the said College shall be deemed an Arts, or taken to be an University and shall have and enjoy all such, and the like privileges as are enjoyed by our Universities of our United Kingdom of Great Britain and Ireland as far as the same are capable of being had, or enjoyed by virtue of these Letters Patent, and that the Students in the said College, shall have liberty and faculty of taking the Degrees of Bachelor, Master, and Doctor in the several Arts and Faculties at the appointed times, and shall have liberty within themselves of performing any of the Scholastic exercises for the conferring such degrees in such manner as shall be directed by the Statutes, Rules, and Ordinances of the said College : And We do further Will, Ordain and Appoint, that no religious Test or Qualification shall be required of, or appointed for any persons admitted or matriculated

Member or Scholars within our said College, or of
 electing all Students admitted to any degree in any Art
 to be proper Faculty therein, save only that all per-
 sons admitted within our said College, to
 receive any degree in Divinity, shall make such
 oaths and take the same declarations and subscription
 and Ordinances as are required of persons admitted to any degree
 in Divinity in our University of Oxford.
 And We do further Will, Direct and Ordain
 that the Chancellor, President and Profes-
 sors of our said College and all persons
 admitted therein to the degree of Master of
 Arts, or to any degree in Divinity, Law, or
 Medicine, and who, from the time of such,
 their admission to such degree, shall pay the
 sum of twenty shilling sterling mo-
 nethly for and towards the support and main-
 tenance of the said College, shall be, and be
 deemed, taken and reputed to be Mem-
 bers of the convocation of the said Univer-
 sity, and as such Members of the said convo-
 cation, shall have, exercise, and enjoy all such
 and the like privileges as are enjoyed by the
 members of the convocation of our Univer-
 sity of Oxford, so far as the same are capable
 of being had, and enjoyed by virtue of these
 our Letters Patent, and consistently with the
 Ordinances and provisions thereof. And We Will, and by
 these Presents, for Us, our Heirs and Suc-
 cessors, do grant and declare that these our
 Letters Patent, or the enrolment or exem-
 plication thereof, shall and may be good,

Save only for
 taking Degrees
 in Divinity.

Who shall be
 deemed and
 taken to be
 members of the
 University.

This Charter or
 the enrolment
 or exemplifica-
 tion thereof to
 be good in law.

firm, valid, sufficient and effectual in the law according to the true, intent and meaning of the same, and shall be taken, construed and adjudged in the most favourable and beneficial sense for the best advantage of the said Chancellor, President, and Scholars of our said College, as well in our Courts of Record as elsewhere, and by all and singular, Judges, Justices, Officers, Ministers and other subjects whatsoever, of us our Heirs and Successors, any misrecital, non-recital, omission, imperfection, defect, matter, cause or thing whatsoever to the contrary therein in any wise notwithstanding. Witness our self, at Westminster, the fifteenth day of December, in the eighth year of our Reign.

By Writ of Privy Seal.

(Signed) BATHURST.

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ken, constru
avourable a
vantage of t
nd Scholars
our Courts
all and sing
Ministers a
us our Hei
l, non-recit
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ontrary there
Witness of
fteenth day
of our Reig
al.

THURST.

